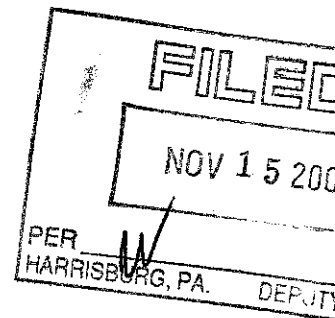


Law Clerk's Copy

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA



JASON ERIC BENSON,
Plaintiff

v.

THOMAS DURAN; BRUCE CLUCK;
DEBRA HANKEY; JOHN JENNINGS;
WILLIAM ORTH; RAE HIENTZELMAN;
RONALD LONG and WILLIAM ELLIEN;
BRITON SHELTON; ADAMS COUNTY
PRISON

Defendants

CIVIL ACTION

NO. 1:00-CV-01229

JUDGE CALDWELL

AFFIDAVIT OF SERGEANT RAY HEINTZELMAN

1. My name is Ray Heintzelman and I am a Sergeant at the Adams County Prison.
2. On August 27, 1999, at approximately 11:20 a.m., I was summoned to the intake area of the prison in A Block. At that time, I was informed that inmate Jason Benson did not want to comply with the prison's strip search procedure after returning from an appointment at court.
3. When I arrived at the medical area with Lieutenant Jennings, Warden Duran and Deputy Warden Hankey, Mr. Benson was sitting down refusing to comply with a request that he strip. At that time, Warden Duran was in charge of those present.
4. After multiple refusals by Mr. Benson to comply with the strip search procedure, Lieutenant Jennings sprayed him with pepper foam. At that point, Benson rose to his feet screaming profanities at everyone present. He then walked over to a computer terminal and

started to pound his head on the monitor. He was then taken to the ground so that he would not hurt himself or cause damage to the office. Mr. Benson was held down until he calmed down and then he was carried to a shower so that he could wash off the pepper foam.

5. After a few minutes in the shower, Mr. Benson began shouting profanities at the prison staff members who were present and also began intentionally spitting at the officers. At that point, Mr. Benson was again taken to the floor for the protection of prison staff. After he settled down, a spit guard was applied and the incident came to an end.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

Sept 28, 2001.

Sgt Ray Heintzelman
Sergeant Ray Heintzelman

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